



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



STATE OF ARIZONA v. JAHMARI ALI MANUEL
CR-09-0253 AP

PARTIES:

Petitioner: Jahmari Ali Manuel

Respondent: State of Arizona

FACTS:

Darrell Willeford owned a pawn shop in Phoenix. On the afternoon of March 31, 2004, Willeford was alone in the shop preparing to close for the day. At around 4:30 PM, a male entered the store and immediately opened fire on Willeford with an automatic handgun concealed under a blue bag. Willeford was hit ten times in the chest, arms, and back. The shooter took Willeford's gun and another gun from a drawer in the counter before leaving after a female, later identified as Danielle Jackson, entered the store. The shooting was recorded on the store's surveillance camera. Several hours later, police arrived and discovered Willeford's body. At the scene of the crime, police recovered the blue plastic bag used in the shooting and the surveillance video tape.

On October 26, 2004, an informant told police in Charlotte, North Carolina that Jahmari Manuel was staying at a hotel room in Charlotte and that Manuel may have been involved in the Phoenix murder. On October 27, police conducted an early-morning raid of Manuel's hotel room and apprehended Manuel. During the raid, police found a gun in the box spring of Manuel's hotel bed. Ballistics evidence later connected this gun to bullet casings found in the blue plastic bag at the pawn shop. DNA evidence obtained from Manuel also connected him to the plastic bag at the pawn shop. Additionally, Manuel fit the physical description of the shooter shown in the surveillance tape.

Manuel was indicted for first degree murder, burglary in the first degree, armed robbery, and misconduct involving weapons. A jury returned guilty verdicts on all counts and determined that Manuel should be sentenced to death. This Court has jurisdiction over this automatic appeal pursuant to Article 6, Section 5(3) of the Arizona Constitution, and A.R.S. § 13-4031 (2001).

ISSUES:

1. Whether the trial court abused its discretion and denied Manuel his right to a fair trial by denying his timely motion for a change of judge?
2. Whether the trial court abused its discretion and violated Manuel's right to a fair trial and due process by denying his timely motion to suppress

evidence found in the North Carolina motel?

3. Whether the prosecutor committed misconduct throughout the trial?
4. Whether the trial court abused its discretion by incorrectly answering a jury question about a recommendation for a life sentence?
5. Whether the trial court abused its discretion by not ordering a new trial based on juror misconduct?
6. Whether the jury abused their discretion when they discounted overwhelming mitigation evidence and sentenced Manuel to death?
7. Whether Arizona's death penalty statutes are unconstitutional?

This Summary was prepared by the Arizona Supreme Court Staff Attorneys' Office solely for educational purposes. It should not be considered official commentary by the Court or any member thereof or part of any brief, memorandum, or other pleading filed in this case.